

September 10, 2009

Via Facsimile 212-805-7948

The Honorable Richard J. Holwell
DANIEL PATRICK MOYNIHAN
UNITED STATES COURTHOUSE
500 Pearl Street
New York, NY 10007-1312

USDC SDNY
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SEP 11 2009
RICHARD J. HOLWELL

Re: *NEOMEDIA TECHNOLOGIES, INC. v. SCANBUY, INC.*
Case No. 04 CV 3026
and
SCANBUY, INC. v. MARSHALL FEATURE RECOGNITION v. NEOMEDIA TECHNOLOGIES
Case No. 09 CV 4297


Dear Judge Holwell:

The parties the above-identified actions have been engaged in settlement discussions over the last two weeks and believe that a resolution of both actions may be possible. Under the Court's Order entered August 5, 2009, the parties are required to submit claim construction briefs tomorrow, September 11, with additional briefs due on September 25, and a joint claim construction chart due on September 30.

Given the status of settlement negotiations, the parties respectfully request a two-week extension of the current deadlines as set forth below:

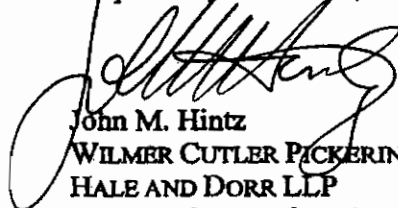
September 25, 2009	Opening briefs and evidence on claim construction due
October 9, 2009	Responsive briefs and evidence on claim construction due
October 14, 2009	Plaintiffs in each action submit a joint claim construction chart on computer disk in Word format containing the parties' agreed-to constructions and their respective proposed claim constructions

The parties believe that this extension will have no effect on any other deadlines.



Jeffrey A. Pine
Valauskas & Pine LLC
&
Michael H. Baniak
McDonnell Boehnen Hulbert &
Berghoff LLP
Attorney for NeoMedia
Technologies, Inc.

Respectfully submitted,



John M. Hintz
WILMER CUTLER PICKERING
HALE AND DORR LLP
Attorney for Scanbuy, Inc. and Marshall
Feature Recognition

SO ORDERED


USDC
9/14/09